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249/056  
PatentIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Group Art Unit: Not yet assigned
	)	
ROURKE, Jonathan, et al.	)	Examiner: Not yet assigned
	)	
Serial No.: 09/664,970	)	
	)	
Filed: September 18, 2000	)	
	)	
For: APPARATUS FOR DELIVERING	)	
ENDOLUMINAL PROSTHESES AND	)	
METHODS OF MAKING AND USING	)	
THEM	)	

Box Fee  
Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO NOTICE OF INCOMPLETE REPLY

Dear Sir/Madam:

In response to the Notice of Incomplete Reply mailed January 12, 2001, Applicants assert that a properly signed oath or declaration has already been timely filed along with Applicant's response to Missing Parts filed on December 27, 2000. Applicants have attached, as **Exhibit A**, a copy of the postcard, Transmittal of Missing Parts, Notice to File Missing Parts, Assignment, Power of Attorney, and Declaration as were filed on December 27, 2000. Accordingly, because the Declaration was included in the response to Missing Parts, Applicants assert that the Declaration was timely filed and no extension fee is due.

OC-64250.1

CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First-Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

February 27, 2001  
Date of Deposit

Sally Hartwell

If, however, it is concluded that Applicants did not timely file the Declaration, Applicants request entry of the Declaration included in Exhibit A. Authorization is given to debit any extension fee under 37 C.F.R. 1.136(a) from Lyon & Lyon LLP Deposit Account No. 12-2475.

Respectfully submitted,

LYON & LYON LLP

Dated: February 27, 2001

By



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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/664,970	09/18/2000	Jonathan Rourke	249/056

22249  
LYON & LYON LLP  
SUITE 4700  
633 WEST FIFTH STREET  
LOS ANGELES, CA 90071-2066



## FORMALITIES LETTER



\*OC000000005675081\*

Date Mailed: 01/12/2001

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

*Filing Date Granted*

The U.S. Patent and Trademark Office has received your reply on 01/02/2001 to the Notice to File Missing Parts (Notice) mailed 11/14/2000 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*

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*A copy of this notice **MUST** be returned with the reply.*

*BW T-6*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE